

3/015/053
Moab District
San Rafael Resource Area
900 North 700 East
Price, Utah 84501

RECEIVED

JUN 1 8 1993

DIVISION OF
OIL GAS & MINING

3809
(UTU-69855)
(U-067)

CERTIFIED MAIL--Return Receipt Requested
Certification No. 696 298 114

JUN 1 6 1993

NOTICE OF DECISION

Mr. Robert Clark
1758 South 900 East
Salt Lake City, Utah 84105

We have determined that you are in noncompliance with 43 Code of Federal Regulations 3809.1-3 which requires submission of an amended notice whenever there are significant deviations from an accepted notice for exploration or mining activities. During an inspection of your operation Miller #1-4 and Miller Extension #1-2 mining claim group, an open 5-gallon pail full of waste oil was found. Storage of waste oil is not included in your notice. In addition, there are several items, such as two pickup trucks, an empty trailer, and a rabbit hutch, which do not appear to be necessary for current mining operations.

You shall be required to remove the oil from the site and dispose of it at an approved facility within 15 days from the date of this decision letter. You shall provide the San Rafael Area Office with a justification for all structures and items which are not obviously needed for your mine operation within 30 days from the date of this decision letter, along with a plan and timetable for removing all unnecessary items.

Failure to comply with the conditions of this decision shall result in your being required to file a plan of operations and to obtain bonding for the operation.

You have the right to appeal the Utah State Director, Bureau of Land Management, in accordance with 43 CFR 3809.4. If you exercise this right, your appeal, accompanied by a statement of reasons and any arguments you wish to present which would justify reversal or modification of the decision, must be filed in writing at this office within 30 days after the date of this decision. This decision will remain in effect during appeal, unless a written request for a stay is granted.

PENELOPE J. SMALLEY

Area Manager

cc: Holland Shepherd, DOGM
Bryant Anderson, Emery County
District Manager, Moab (U-065)

NSimmons:ks:6/15/93
NONCLARK.LTR